

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES H. CARNER, III,) CASE NO. C08-0586-JLR-MAT
Plaintiff,)
v.) ORDER DENYING PLAINTIFF'S
OFFICER JEFF HANCOCK, et al,) REQUEST FOR SUBPOENAS AND
Defendants.) REQUEST FOR COPIES

Plaintiff is proceeding *pro se* and *in forma pauperis* in this action pursuant to 42 U.S.C. § 1983. He has filed a request for blank subpoenas and also a request for the Court to provide him with copies of certain documents. (Dkt. Nos. 15 & 16). Defendants have filed a response to plaintiff's request for subpoenas. (Dkt. No. 18). Having considered plaintiff's requests and defendants' response, the Court does hereby find and order as follows:

(1) The basis for plaintiff's request for subpoenas is unclear. He does not explain why the subpoenas are needed, what purpose they would serve, why other tools of discovery are inadequate, nor how he would enforce the subpoenas by paying for witness and mileage fees, as required by Federal Rule of Civil Procedure 45(b). *See Tedder v. Odel*, 890 F.2d 210, 211-212

**ORDER DENYING PLAINTIFF'S REQUEST FOR
SUBPOENAS AND REQUEST FOR COPIES**

01 (9th Cir. 1989) (*in forma pauperis* status does not exempt a litigant from complying with terms
02 of Fed. R. Civ. P. 45). In addition, as defendants point out, the time period for discovery has
03 elapsed and plaintiff has not moved for an extension of time. Accordingly, plaintiff's request (Dkt.
04 No. 15) is DENIED.

05 (2) Plaintiff's request for copies of certain documents is similarly unclear. He does not
06 adequately explain why he needs these documents nor what happened to the originals. In addition,
07 plaintiff compounds the confusion by also requesting documents from two other pending cases.
08 In any event, plaintiff is advised that his status as an *in forma pauperis* litigant does not entitle him
09 to free copies of documents filed with the Court. Therefore, plaintiff's request for copies is
10 DENIED.

11 (3) The Clerk shall send a copy of this Order to plaintiff and to counsel for defendants.

12 DATED this 2nd day of September, 2008.

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15 Mary Alice Theiler
16 United States Magistrate Judge
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